

BOARD OF ZONING APPEALS

CITY OF MILWAUKEE

REGULAR MEETING – March 1, 2001
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Craig H. Zetley (*Voting on items 1-48*)

Members: Henry P. Szymanski (*Voting on item 1, 3-48*)
Scott R. Winkler (*Voting on item 1-32, 34-46, 48*)
Catherine M. Doyle (*Voting on item 1, 3-48*)
Roy B. Nabors (*Voting on item 1-33, 35-48*)

Alt. Board Members: Georgia M. Cameron (*Voting on item 2, 34, 47*)
Donald Jackson (*Voting on item 2, 33*)

START TIME: 2:10 p.m.

END TIME: 6:15 p.m.

1 The Board discussed possible changes to the Rules of Procedure regarding Change of Operator requests and Extension of Time requests but delayed action to a future meeting so that the Board and any other interested parties could study the proposal.

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
|-----------------|----------------------------------|---|--|
| 2 | 23158 Dimensional Variance | Lad Lake, Inc.; Prospective Buyer Request to occupy the premises as group home for 8 juveniles ages sixteen to eighteen. | 3446 N. 47th St. 10 th Dist. |
| | Action: | Denied | |
| | Motion: | Scott Winkler moved to deny the appeal. Seconded by Georgia Cameron. | |
| | Vote: | 3 Ayes, 1 Nays, 1 C. Zetley Abstained. | |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
|-----------------|-----------------------------|--|------------------------------------|
| 3 | 22540 Special Use | Katz Properties, Inc. Daniel J. Katz; Property Owner | 1295 N. Jackson St. 4th Dist. |
| | | Request to construct a parking lot on the premises. | |
| | Action: | Dismissed | |
| | Motion: | Henry Szymanski moved to dismiss the appeal. Seconded by Roy Nabors. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| 4 | 23425 Extension of Time | Milwaukee Multicultural Academy Amit Ray/ Vidya Prasad; Property Owner | 3205 W. Burleigh St. 10th Dist. |
| | | Request to comply with the conditions of case No. 23055. | |
| | Action: | Granted | |
| | Motion: | Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| 5 | 23379 Change of Operator | Arshad Ali; Property Owner | 3908 S. 76th St. 11th Dist. |
| | | Request to continue occupying the premises as a gas station and convenience store. | |
| | Action: | Granted | |
| | Motion: | Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |

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|------------------------|---------------------------------------|---|---|
| 6 | 22619 Use Variance | La Causa, Inc. David A. Espinoza; Property Owner Request to construct a parking lot on the premises. Action: Dismissed Motion: Henry Szymanski moved to dismiss the appeal. Seconded by Roy Nabors. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | 1412-14 S. 8th St. 12th Dist. |
| 7 | 23417 Change of Operator | Harshinder Singh; Lessee Request to continue occupying the premises as a motor vehicle pumping station. Action: Granted Motion: Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | 610 W. Becher St. 12th Dist. |
| 8 | 23394 Special Use | Ed and Mary Ennis; Property Owner Request to install a new wall sign to the existing motor vehicle repair facility. Action: Dismissed Motion: Henry Szymanski moved to dismiss the appeal. Seconded by Roy Nabors. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | 5150 S. 27th St. 13th Dist. |

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|-----------------|--------------------------------|---|------------------------------------|
| 9 | 23408 Change of Operator | Balhir S. Dulal; Lessee Request to continue occupying the premises as a motor vehicle pumping station. | 4866 S. 27th St. 13th Dist. |
| | Action: | Granted | |
| | Motion: | Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| 10 | 23395 Change of Operator | University Investments 2000 LLC John Kostecki; Property Owner Request to continue occupying the premises as a rooming house with a maximum of 8 roomers. | 837 N. 17th St. 17th Dist. |
| | Action: | Granted | |
| | Motion: | Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| 11 | 23396 Change of Operator | University Investments 2000 LLC John Kostecki; Property Owner Request to continue occupying the premises as a rooming house with a maximum of 11 roomers. | 821 N. 17th St. 17th Dist. |
| | Action: | Granted | |
| | Motion: | Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| 12 | 23026 Special Use | Jennifer Kozinski; Prospective Buyer Request to occupy the premises as a non-alcoholic dance club (recreation facility). | 4413 W. Lisbon Av. 17th Dist. |
| | Action: | Dismissed | |
| | Motion: | Henry Szymanski moved to dismiss the appeal. Seconded by Roy Nabors. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |

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|-----------------|----------------------------|--|------------------------------------|
| 13 | 23388 Extension of Time | Kumovi Investments LLC John Plavsic; Prospective Buyer Request for an extension of time to comply with the conditions of case No. 22904. | 5630 N. Teutonia Av. 2nd Dist. |
| | Action: | Granted | |
| | Motion: | Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| 14 | 23391 Special Use | Andrew Noble, John Kuester & Tom Noble; Lessee Request to occupy the premises as a second hand record store. | 801-03 E. Center St. 6th Dist. |
| | Action: | Granted 4 yrs. | |
| | Motion: | Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the storefront windows remain as clear glass and are maintained in an attractive manner.</p> <p>5. That this Special Use is granted for a period of four (4) years, commencing with the date hereof.</p> | |

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| 15 | 23406 Special Use | Alejandro and Trinidad Vazquez Property Owner Request to continue occupying the premises as a motor vehicle repair facility. | 1511 W. Mitchell St. 8th Dist. |
| | Action: | Granted 10 yrs. | |
| | Motion: | Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no work or storage of vehicles occurs in the public right of way. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. | |
| 16 | 23392 Dimensional Variance | Jessie and Curlie Williams Property Owner Request to construct a single family dwelling unit on the premises. | 7126 N. 45th St. 9th Dist. |
| | Action: | Granted | |
| | Motion: | Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. | |

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|-----------------|--------------------------------|--|--|
| 17 | 23402 Special Use | Rent-A-Center, Inc.; Lessee Request to occupy the premises as a rental facility. | 6452 N. 76th St. A/K/A 6406-6540 N. 76th St. 9th Dist. |
| | Action: | Granted 10 yrs. | |
| | Motion: | Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p> | |
| 18 | 23410 Special Use | JB Properties LTD David Szychalski; Lessee Request to continue occupying the premises as a type 'B' restaurant. | 2725 W. Capitol Dr. 10th Dist. |
| | Action: | Granted 10 yrs. | |
| | Motion: | Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That all conditions regarding case No. 19965 are complied with.</p> <p>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p> | |

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| 19 | 23393 Dimensional Variance | John W. Soderland; Property Owner Request to construct an addition to the existing retail facility. | 5132 W. Howard Av. 11th Dist. |
| | Action: | Adjourned | |
| | Motion: | This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing. | |
| 20 | 23339 Special Use | Forest County Potawatomi Comm. of WI. Property Owner Request to occupy the premises as an office and warehouse. | 1301-13 W. St. Paul Av. 12th Dist. |
| | Action: | Granted 10 yrs. | |
| | Motion: | Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. | |

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| 21 | 23370 Special Use | Auto Stereo Specialist Inc. Ricardo Castillo; Prospective Buyer | 1400 W. Mitchell St. 12th Dist. |
| | | Request to occupy the premises as a motor vehicle repair and rental (U-Haul) facility. | |
| | Action: | Granted 10 yrs. | |
| | Motion: | Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That no work or storage of vehicles occurs in the public right of way.</p> <p>5. That except for the driveway opening, the vehicle parking area must be separated from the public sidewalk by some type of physical barrier to prevent vehicles from driving across the sidewalk or otherwise encroaching into the public way.</p> <p>6. That no rental vehicles are parked on the street.</p> <p>7. That other than the proposed neon U-Haul sign on the south side of the building, no additional signage is to be placed on the building or the roof.</p> <p>8. That no disabled or unlicensed vehicles or auto parts are stored outside.</p> <p>9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p> | |

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| 22 | 23374 Special Use | Michael Drilling; Property Owner Request to occupy the premises as a motor vehicle repair and sales facility. | 536 W. Lapham Bl. 12th Dist. |
| | Action: | Granted 10 yrs. | |
| | Motion: | Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That no work or storage of vehicles occurs in the public right of way.</p> <p>5. That landscaping and screening plans are submitted which meet the intent of s.295-75.</p> <p>6. That signage for the main pylon sign is limited to a maximum of 40 square feet and that signage for the building is limited to a maximum of 40 square feet.</p> <p>7. That this Special Use and these Variances are granted for a period of ten (10) years, commencing with the date hereof.</p> | |
| 23 | 23381 Special Use | James J. Valona; Property Owner Request to occupy the premises as a rooming house for 11 persons. | 822 W. Scott St. 12th Dist. |
| | Action: | Adjourned | |
| | Motion: | This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing. | |

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|------------------------|---------------------------------------|--|---|
| 24 | 23380 Special Use | James J. Valona; Property Owner Request to occupy the premises as a rooming house 16 persons. | 825-27 S. 14th St. 12th Dist. |
| | Action: | Granted 10 yrs. | |
| | Motion: | Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the eight parking spaces being leased from the Latino Community Center are made available to the tenants.</p> <p>5. That this Special Use and these Variances are granted for a period of ten (10) years, commencing with the date hereof.</p> | |
| 25 | 23376 Dimensional Variance | North Milwaukee State Bank Lawanda Baldwin; Property Owner Request to construct a 60 sq. ft. ground sign on the premises. | 9049 N. 76th St. 15th Dist. |
| | Action: | Adjourned | |
| | Motion: | This item was adjourned at the request of the chair and will be rescheduled at the next available hearing. | |

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|------------------------|---------------------------------------|---|---|
| 26 | 23400 Special Use | Peter P. Faragher; Property Owner Request to continue occupying the premises as a type 'B' restaurant. | 9008 W. Brown Deer Rd. 15th Dist. |
| | Action: | Granted 10 yrs. | |
| | Motion: | Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. | |
| 27 | 23384 Use Variance | Berean Family Worship Inc. Walter Henderson III; Property Owner Request to continue occupying the premises as a church. | 4030 N. 34th St. 1st Dist. |
| | Action: | Granted 10 yrs. | |
| | Motion: | Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof. | |

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|-----------------|----------------------------|---|-------------------------------------|
| 28 | 23386 Special Use | Stereo Doctors A. Omar Khatib; Lessee Request to continue occupying the premises as a motor vehicle repair facility (installation of electronic equipment) with the addition of tire sales and custom upholstery. Action: Adjourned Motion: This item was adjourned at the request of the alderman and will be rescheduled at the next available hearing. | 6900-10 W. Capitol Dr. 2nd Dist. |
| 29 | 23422 Use Variance | Milwaukee City Center, LLC Property Owner Request to construct a projecting sign (4ft. by 16 in.) on the premises. Action: Granted Motion: Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That the bottom of the sign be no closer than 10 feet above the sidewalk. 5. That this Variance is granted to run with the land. | 509 W. Wisconsin Av. 4th Dist. |

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|------------------------|-----------------------------------|--|---|
| 30 | 23377 Change of Operator | Simon Barbier; Property Owner Request to continue occupying the premises as a recycling (scrap metal) facility. | 3456 N. Buffum St. 6th Dist. |
| | Action: | Granted | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| 31 | 23389 Dimensional Variance | William & Delores Preddy Property Owner Request to park more than one commercial vehicle on the premises. | 3400-02 W. Lincoln Av. 8th Dist. |
| | Action: | Granted 2 yrs. | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner also provides the required parking for the residential occupants of the building and if the parking area is expanded permits are obtained for the expansion. 5. That there is no parking on any unpaved surface. 6. That landscaping and screening plans are submitted which meet the intent of city code. 7. That this Variance is granted for a period of two (2) years, commencing with the date hereof. | |

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|------------------------|-----------------------------------|---|---|
| 32 | 23305 Dimensional Variance | Jose and Rosemary Morales Property Owner Request to convert the existing apartment building into a 6 unit building without adequate lot area and parking. | 2527-29 W. National Av. 8th Dist. |
| | Action: | Granted | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That the operator make at least four (4) parking stalls available to tenants. 5. That the petitioner obtains all required permits and allows full access for required inspections. 6. That these Variances are granted to run with the land. | |
| 33 | 23397 Use Variance | Ernesto and Teresa Nava Property Owner Request to occupy the premises as a parking lot. | 1979 S. 13th St. 12th Dist. |
| | Action: | Denied | |
| | Motion: | Catherine Doyle moved to grant the appeal. Seconded by Roy Nabors. | |
| | Vote: | 2 Ayes, 2 Nays, 1 C. Zetley Abstained. | |

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|-----------------|----------------------------|--|--|
| 34 | 23292 Use Variance | St. Peter's Evangelical Lutheran Church Rev. James Getka; Prospective Buyer Request to raze the existing building and construct a parking lot on the premises. | 1223-39 S. 8th St. 12th Dist. |
| | Action: | Denied | |
| | Motion: | Catherine Doyle moved to grant the appeal. Seconded by Scott Winkler. | |
| | Vote: | 3 Ayes Doyle, Cameron, Winkler; 2 Nays Szymanski, Zetley | |
| 35 | 23403 Use Variance | James Cape and Sons Co. Prospective Buyer Request to occupy the premises as a recycling, reclamation, and concrete crushing and facility. | 6000 S. 6th St. 13th Dist. |
| | Action: | Adjourned | |
| | Motion: | Catherine Doyle moved to adjourn the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| 36 | 23331 Special Use | McDonald's Corporation Prospective Buyer Request to construct and occupy the premises as a Type 'b' restaurant with a drive-through. | 5880 S. 27th St. A/K/A 2612 W. Ramsey Av. 13th Dist. |
| | Action: | Adjourned | |
| | Motion: | Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winkler. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |

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| 37 | 23357 Special Use | Ken Weber; Prospective Buyer Request to occupy the premises as a health club (recreational facility). | 2651 S. Kinnickinnic Av. 14th Dist. |
| | Action: | Granted 10 yrs. | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner pursue the purchase of the lot in the rear of the building for parking. 5. That signage must comply with the design guidelines for the City of Milwaukee Neighborhood Façade Grant Program. 6. That the storefront windows are restored to clear glass and are maintained in an attractive manner. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. | |

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| 38 | 23383 Dimensional Variance | New Life Community Church Property Owner Request to construct a 44 sq. ft. sign on the premises. | 11919 W. Bradley Rd. 15th Dist. |
| | Action: | Granted 10 yrs. | |
| | Motion: | Roy Nabors moved to grant the appeal. Seconded by Scott Winkler. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof. | |
| 39 | 23414 Special Use | John Fischer; Lessee Request to construct a 4 ft. x 8 ft. sign of the premises. | 11825 W. Hampton Av. 15th Dist. |
| | Action: | Denied | |
| | Motion: | Henry Szymanski moved to deny the appeal. Seconded by Scott Winkler. | |
| | Vote: | 3 Ayes Winkler, Szymanski, Nabors; 1 Nay Doyle; 1 Abstained C. Zetley | |
| 40 | 23261 Special Use | Cherry McKnight; Lessee Request to occupy the premises as a day care center for 8 children, 6 wks. through 12 yrs., open 24 hrs. | 5052 N. 38th St. 1st Dist. |
| | Action: | Adjourned | |
| | Motion: | Roy Nabors moved to adjourn the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
|------------------------|---------------------------------------|--|---|
| 41 | 23260 Special Use | Cherry McKnight; Lessee Request to occupy the premises as a day care center for 8 children, 6 wks. to 12 yrs., open 24 hrs. | 6509 W. Villard Av. 2nd Dist. |
| | Action: | Adjourned | |
| | Motion: | Henry Szymanski moved to Adjourn the appeal. Seconded by Catherine Doyle. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| 42 | 23205 Dimensional Variance | Gaenslen Elementary School Property Owner Request to construct a 26.6 sq. ft. sign on the premises. | 1250 E. Burleigh St. 3rd Dist. |
| | Action: | Adjourned | |
| | Motion: | This item was adjourned at the petitioners request and will be rescheduled at the next available hearing. | |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
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| 43 | 23362 Special Use | <p>Harmon Manor Child Development Center II Robin Harmon; Lessee</p> <p>Request to occupy a portion of the premises as a day care center for 68 children, ages 4 wks. - 12 yrs., open 24 hrs.</p> <p>Action: Granted 3 yrs.</p> <p>Motion: Roy Nabors moved to grant the appeal. Seconded by Catherine Doyle.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no pick up or drop off occur on N. 77th St. 5. That a six (6) ft. wooden opaque fence be erected enclosing the play area. 6. That the petitioner obtains an occupancy certificate and complies with all State commercial code requirements for day care centers. 7. That the fenced outdoor play area is separated from the vehicle operating area by a physical barrier such as bollards. 8. That the outdoor play area is not utilized after 7:00 P.M. 9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. | <p>4851 N. 76th St. A/K/A 4807-47 N. 76th St. 5th Dist.</p> |

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| 44 | 23325 Special Use | Darshan S. Dhaliwal; Property Owner Request to occupy the premises as a gas station and convenience store. | 3308 W. Vliet St. 4th Dist. |
| | Action: | Granted 2 yrs. | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening plans are upgraded to include details for the screening of all dumpsters and provide specifications for ornamental fences. 5. That site illumination is controlled to prevent glare onto adjacent streets and residences. 6. That no disabled or unlicensed vehicles or parts are stored outside. 7. That no outdoor telephones be installed on the site. 8. That the petitioner take all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel. 9. That this facility not operate between the hours of Midnight and 5:00 a.m. 10. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. | |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
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| 45 | 23365 Special Use | Frank Giuffre Mo Kart II; Property Owner Request to occupy a portion of the premises as a recreational facility. | 218-20 N. 25th St. A/K/A 200-24 N. 25th St. 8th Dist. |
| | Action: | Denied | |
| | Motion: | Henry Szymanski moved to deny the appeal. Seconded by Catherine Doyle. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| 46 | 22906 Special Use | Aquil Malik; Property Owner Request to construct and occupy the premises as a gas station and convenience store. | 720-30 N. 35th St. 4th Dist. |
| | Action: | Adjourned | |
| | Motion: | This item was adjourned at the request of the petitioner and will be rescheduled at the next available hearing. | |
| 47 | 23301 Special Use | Richard Behrle/Jennifer Sloan Bressler Outdoor Advertising; Lessee Request to construct a 14' x 48' freestanding, double-faced billboard on the premises. | 3500 W. Pierce St. A/K/A 3500-22 W. Pierce 16th Dist. |
| | Action: | Denied | |
| | Motion: | Henry Szymanski moved to deny the appeal. Seconded by Roy Nabors. | |
| | Vote: | 5 Ayes, 0 Nays, 0 Abstained. | |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
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| 48 | 23334 Dimensional Variance | InSite Real Estate Development, LLC Prospective Buyer Request to create a parking and loading area in the required setback area -- proposed area will be landscaped and screened with a decorative masonry wall. | 6101 N. 64th St. 2nd Dist. |
| | Action: | Adjourned | |
| | Motion: | Henry Szymanski moved to dismiss the appeal without prejudice unless the Board office received a letter from the applicant within 10 days indicating a desire to proceed with the appeal. Seconded by Catherine Doyle. | |
| | Vote: | 4 Ayes, 0 Nays, 1 - C. Zetley Abstained. | |

Other Business:

Board member Roy Nabors moved to approve the minutes of the February 8, 2001 meeting. Seconded by Board member Henry Szymanski. Unanimously approved.

The Board set the next meeting for March 22, 2001.

Board member Henry Szymanski moved to adjourn the meeting at 6:15 p.m.. Seconded by Board member Catherine Doyle. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board

| <u>Item</u> <u>No.</u> | <u>Case No./</u> <u>Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
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